



ATTORNEY DOCKET NO: SMD-58-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peterson, et al.) Examiner: Unknown
Serial No: 10/813,107) Art Unit: 1731
Filed: March 30, 2004) Deposit Acct. No: 04-1403
Title: Process For Producing Smoking Articles) Customer ID: 22827
With Reduced Proclivity Characteristics)
And Products Made According To Same)

RESPONSE

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

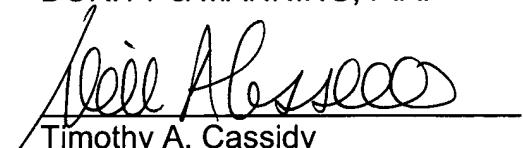
Enclosed is a Declaration under 37 CFR § 1.131. The Declaration is signed by each of the inventors and states that the invention defined in claim 41 was reduced to practice prior to the U.S. filing date of U.S. Patent No, 6,645,605.

The enclosed Declaration is being submitted for the Examiner's convenience when reviewing the references submitted to the Examiner in previously filed Information Disclosure Statements and for possibly expediting prosecution of the application.

Should the Examiner have any questions with respect to this submission, he or she is invited to telephone the undersigned at his or her convenience.

Respectfully submitted,

DORITY & MANNING, P.A.


Timothy A. Cassidy
Reg. No. 38,024
P.O. Box 1449
Greenville, SC 29602
(864) 271-1592
(864) 233-7342

3 | 1 | 05
Date



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on March 1, 2005
Date



Signature

Sandra S. Perkins

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response (1 page)
Declaration Under 37 CFR Section 1.131

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.